



## Report of the Chief Planning Officer

### *PLANS PANEL CENTRAL*

Date: 21<sup>st</sup> JUNE 2012

Subject: APPLICATION 11/05239/FU – USE OF SITE AS CAR PARK (225 SPACES) AT INGRAM ROW, HOLBECK, LEEDS, LS11

**APPLICANT**  
Ingram Row Ltd

**DATE VALID**  
13/12/2011

**TARGET DATE**  
7/02/20102

**Electoral Wards Affected:**

City and Hunslet

No

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

Equality and Diversity

Community Cohesion

Narrowing the Gap

**Members are asked to note and approve the reasons for approval and conditions for planning application 11/05239/FU which Panel resolved to approve on 10<sup>th</sup> May 2012.**

### 1.0 INTRODUCTION:

- 1.1 At the May Plans Panel members considered the application for use of the site at Ingram Row, Holbeck as a long stay car park for a temporary 5 yr period. Members voted not to accept the officer recommendation to refuse the application and then voted again to approve the application subject to conditions. The formal Panel resolution states:

**RESOLVED** – That the application be approved and brought back to the next Panel setting out proposed conditions to approve the application and the reasons for granting permission.

- 1.2 The purpose of this report is to set out the reasons for approving the application and the conditions to be applied to the approval.

## **2.0 RELEVANT BACKGROUND:**

- 2.1 The Ingram Row car park was one of the 16 applications originally presented to Members at Plans Panel in March 2012. Members were asked to compare all of the long stay car parks submitted prior to 19<sup>th</sup> Dec 2011 with a view to approving only 3,200 car parking spaces in line with the City Centre Commuter Car Parking Policy (CCCCP1) .
- 2.2 When policy CCCCCP1 was adopted it was anticipated that applications would be submitted for more spaces than the 3,200 space cap. It was therefore agreed by the Council's Executive Board that the applications would be evaluated against identified preference criteria which would enable a comparative assessment to take place between the applications to identify the 3,200 spaces which could be recommended for approval. As a result of that process the car parks at Ingram Row and the adjoining site at Ingram Street could not be separated and they therefore received the same score. To have approved both however would have meant that the cap would be exceeded taking the total to 3443 spaces.
- 2.3 Officers recommended that Ingram Street should be approved and Ingram Row refused because Ingram Street would provide slightly more spaces on the ground thereby maximizing the potential economic benefits of supporting local businesses whilst still adequately complying with the objectives of the CCCCCP1 policy, although the cap set at 3200 would be slightly exceeded by 18 spaces. Members did not accept this recommendation and were of the view that the proposal at Ingram Row also has merit and should be approved in addition to Ingram Street. At the 10<sup>th</sup> May Plans Panel, following further advice from officers and the Highways Agency, members again resolved that the application at Ingram Row should be approved.

## **3.0 REASONS FOR APPROVAL**

- 3.1 Members have noted that the Ingram Row and Ingram St sites could not be separated as part of the comparative assessment process outlined above and that approving Ingram Row would mean that in total the 3,200 space cap would be exceeded by 243 spaces or 7.6%. At present the existing approvals that have been given have meant that the cap has been exceeded by 18 spaces or 0.6%.
- 3.2 During the consideration of the Ingram Row application at Plans Panel in March, and then subsequently in May, members have highlighted the particular physical benefits and safety improvements that would be delivered by giving permission to the Ingram Row application. These are:
  1. The scheme, along with the adjoining site at Ingram Street, are flanked and overlooked by both office and residential development and therefore its approval would not only improve the area in general but also the amenity of these adjacent occupiers.
  2. The boundaries of the site currently contain a mix of Herras fencing, Palisade fencing, corrugated metal and a disused brick building. These would all be removed and replaced by a double post and rail fence with planting behind. This would significantly improve the visual appearance of the site.

3. The north-south routes to either side of the site already contain landscaping and footpaths and are well used due to the presence of both the residential and office buildings in the area as well as the car parks themselves. The improvement to the boundaries would provide a fully landscaped setting to these routes. It would also mean that the east-west routes of Ingram Row to the south and Manor Road to the north would have landscaped borders to either side, thereby completing their improvement, rather than leaving them with only one landscaped side.
4. The site is in the south-eastern corner of the Holbeck Urban Village (HUV) area and with the exception of the Ingram Street and Ingram Row sites, all other parcels of land have been developed. As Ingram Street has already been granted permission, if Ingram Row were not to be improved, this would leave it as the only site without both a use and the associated environmental improvements. The site is in a key location at the entry into Holbeck Urban Village and it makes sense to improve both sites to the benefit of the wider area.
5. As the Sweet Street site (City One) was also approved pursuant to the CCCCPC Policy, it means that there would be a continuous corridor of improved land from the M621 all the way in to the city centre.
6. Ingram Row contains an existing row of mature trees along its southern boundary and therefore the supplementation of this greenery with the additional planting will enhance the setting of the existing trees. The total area of landscaping to be provided on this site would account for 17% of its total which is a significant proportion.
7. The improvements achieved would increase considerably the sense of security in the area.

3.3 It must be remembered that the thrust of the CCCCPC policy, other than to restrict the number of long stay car parking spaces on vacant sites, is to ensure that those car parks to be approved should offer the best environmental improvements. As the Ingram Row and Ingram Street sites could not be separated during the comparative assessment process and there are clear material improvements in environmental quality and perceived safety which will result from granting approval to both it is considered that there are adequate reasons which can be put forward in this case to justify exceeding the cap by 7.6% overall.

3.4 The Highways Agency have been made aware of the decision taken by members at Plans Panel in May and have decided not to reissue the holding direction which was originally placed on the site. Approval can therefore be granted subject to conditions.

#### **4.0 CONDITIONS:**

4.1 The suggested conditions to be applied to the permission are as follows and are consistent with the conditions applied to other approved long stay car parks;

- 1) The use hereby permitted shall be discontinued and the land restored to a condition the details of which shall have been submitted to and approved in writing by the Local Planning Authority on or before 22nd June 2017.

To comply with the aims of the Council's Transport Strategy in accordance with adopted UDPR policy CCCCPC1.

2) The development hereby permitted is for 225 long stay commuter car parking spaces and shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

3) Within 3 months of the date of this permission, a scheme detailing surface water drainage works including a timescale for implementation shall be submitted to and approved in writing by the Local Planning Authority. The details should be in accordance with the Council's Minimum Development Control Standards for Flood Risk. The works shall be implemented in accordance with the approved scheme as set out in the approved implementation details.

To ensure sustainable drainage and flood prevention in accordance with policies GP5, N39A of the adopted Leeds UDP Review (2006) and PPS25.

4) Within 3 months of the date of this permission the developer shall submit to the council for approval details of a Flood Risk Management Plan for the site. The Plan should include details of arrangements for the evacuation of the site in the event of any severe flooding.

To ensure the site can be appropriately evacuated in the event of severe flooding in accordance with policies GP5 of the adopted Leeds UDP Review (2006) and PPS25.

5) Unless otherwise agreed in writing by the Local Planning Authority, surface water from areas used by vehicles shall be passed through an oil and petrol interceptor of adequate capacity prior to discharge to the public sewer. The interceptor shall be retained and maintained thereafter.

To ensure pollution prevention in accordance with adopted Leeds UDP Review (2006) policy GP5 and PPS25.

6) Unless otherwise agreed in writing, full details of both hard and soft landscape works, including an implementation programme stating the works shall be completed within three months from the date of this permission, shall be submitted to and approved in writing by the Local Planning Authority within one month from the date of this permission. Landscape works shall include:

- (a) boundary details and means of enclosure,
- (b) method of delineating parking spaces,
- (c) hard surfacing areas,
- (d) any CCTV, lighting structures, bollards, hoardings, public art,
- (e) planting plans
- (f) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment) and
- (g) schedules of plants noting species, planting sizes and proposed numbers/densities,

All hard and soft landscaping works shall be carried out in accordance with the approved details, approved implementation programme and British Standard BS 4428:1989 Code of Practice for General Landscape Operations. The developer shall complete the approved landscaping works and confirm this in writing to the Local Planning Authority prior to the date agreed in the implementation programme.

To ensure the provision and establishment of acceptable landscape in accordance with adopted Leeds UDP Review 2006 policies GP5, N25 and LD1.

7) If within a period of five years from the date of the planting of any tree/hedge/shrub that tree/hedge/shrub, or any replacement, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree/hedge/shrub of the same species and size as that originally planted shall be planted in the same location as soon as reasonably possible and no later than the first available planting season, unless otherwise agreed in writing by the Local Planning Authority.

To ensure maintenance of a healthy landscape scheme, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

8) Within three months of the date of this permission, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

To ensure successful aftercare of landscaping, in accordance with adopted Leeds UDP Review (2006) policies GP5 and LD1.

#### Reason for approval

9) In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG), the Regional Spatial Strategy 2008 (RSS) and The Development Plan, policy CCCC1, and the Leeds Unitary Development Plan Review 2006 (UDPR) policies;

GP5, T2, T24A, N19, N25, N39A, LD1, CCP2.

On balance, the City Council considers that the development would result in substantial environmental and safety improvements in association with the adjoining site at Ingram Street to the benefit of the locality at a key location on the entry into Holbeck Urban Village and that these benefits are sufficient to warrant the limited exceedance of the policy cap set out in policy CCCC1.

## **5.0 RECOMMENDATION**

5.1 Members are asked to note and approve the suggested conditions and the reasons for approval of this application.

### **Back Ground Papers:**

Application File: 20/177/05/FU.

Application File: 06/06817/FU

Application File: 07/02820/FU

Application File: 09/04037/FU

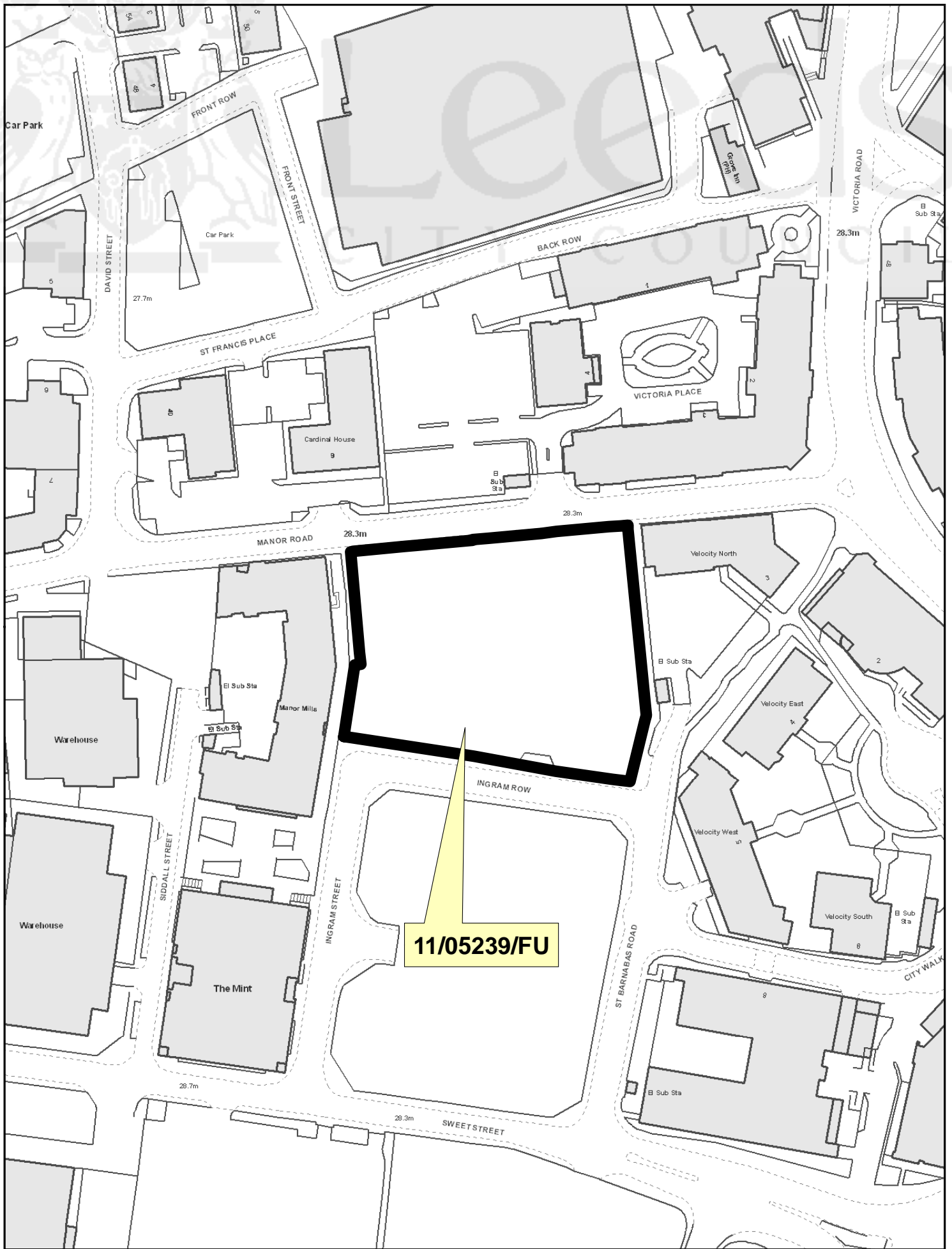
Appeal File: (APP/N4720/A/10/2125970)

Enforcement File: 06/01037/NCP3

Enforcement Appeal File: (APP/N4720/C/10/2126365)

Certificate of Ownership – Certificate A signed on behalf of Ingram Row Ltd.

Highways Agency Letter: 30<sup>th</sup> April 2012



# CITY CENTRE PLANS PANEL

